

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1 and 9 have been amended, no new matter is added.

Claims 3-6, 8, 11-13, 15-18, and 21-22 were previously canceled without prejudice or disclaimer of the subject matter therein.

Claims 1, 2, 7, 9-10, 14, and 19-20 are pending.

Claim 9 has been objected to and Applicant has amended the claim to depend from the proper claim. Applicant respectfully request that the objection be withdrawn.

II. Rejections under 35 U.S.C. § 103

Claims 1, 2, and 14 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 7,089,194 to Berstis et al. ("Berstis") in view of U.S. Patent No. 6,300,936 to Braun et al. ("Braun"). Claims 7, 9, and 19-20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berstis, in view of Braun and further in view of U.S. Patent No. 6,880,123 to Landsman et al. ("Landsman"). Claim 10 is rejected under 35 U.S.C. § 103(a) as unpatentable over Berstis, in view of Braun and further in view of Landsman and further in view of U.S. Patent No. 5,740,549 to Reilly et al. ("Reilly"). Applicant respectfully traverses the rejections.

Applicant's invention, as defined by the pending claims, is a browser saver that transmits/receives information when the user is not using his browser and displays the information even though the user is using other applications. In one embodiment, the information transmitted

and displayed is an advertisement. The typical user is using his computer in a multitasking environment. Open applications can be a word processing application, a spreadsheet application, and a browser application. The user actively uses only one application window at a time. Once the user switches from the browser application to another application, the invention determines if there are any “entering operations” in the browser window. Once the entering operations cease, the browser receives the information (e.g., advertisements) and displays it in the browser while the user is actively using the other applications.

A standard screen saver differs because it is directed to monitoring inactivity in all open applications, including the operating system (OS) environment itself. Once complete inactivity is noted, the screen saver is activated. However, complete inactivity by a user is usually an indication that the user is no longer in front of the terminal and will not see the screen saver. In the present invention, the information is playing in the background while the user is active on the computer, thus increasing the chances that the user will see the information displayed in the browser. In contrast, the screen saver is not typically seen by the user, since the user is typically away from the computer.

Turning now to claims, claim 1 recites:

said computer terminal **accesses and retrieves delivery information at the time it is displayed** from a predetermined server via the network by the browser application, and without changing information displayed in other windows of the plurality of windows, automatically displays the delivery information in the one window, in the case where, **after said browser application displays the content in the one window**, it is judged that **an entering operation is not executed in the one window** for a predetermined period of time by said information receiving program or the information receiving program obtained by the tag, **even when an**

entering operation is executed in the other windows during the predetermined period of time. (emphasis added).

Claim 14 recites:

a program providing means for providing an information receiving program based on the program receiving request, **the information receiving program being for accessing a predetermined server via said network from the computer apparatus to pull alternate content which is to be displayed by the browser application in place of the HTML content displayed in one window of the plurality of windows on the computer apparatus, without changing information displayed in other windows of the plurality of windows, in the case where, after said HTML content is displayed in the one window, no operation is executed in the one window for a predetermined period of time, even when an entering operation is executed in the other windows during the predetermined period of time.** (emphasis added)

In contrast, Berstis is directed to inserting advertisement in the active datastream. One of ordinary skill in the art is well aware that a provider would not offer incentives like free time or credits unless the browser window is active and the provider can be assured that the user is viewing the advertisements. *See*, Berstis, column 8, line 46 to column 10, line 58. Berstis confirms this by disclosing a different embodiment wherein only cached advertisements are displayed in the browser during inactivity, noted as “additional advertisements.” *See*, Berstis, column 10, line 59 to column 11, line 3. Thus, the advertisements displayed during the browser idle times were not received and displayed at the browser idle time. Berstis has the ads stored prior to the idle time.

Further, Braun only discloses a force feedback system and does not even disclose or suggest an information or advertising “saver.” Thus, the combination of Berstis and Braun do not disclose all of the elements of the claimed invention.

Claim 2 depends from claim 1 and is allowable at least based on the argument above.

Applicant respectfully submits that Berstis and Braun, either alone or in combination, do not teach or suggest all the elements of the claimed invention and requests that the rejection be withdrawn.

Turning to claim 7, it recites the element of:

a content obtaining function for **obtaining content** by the browser application from a predetermined server via the network **in the case that it is judged that the entering operation by the user is not executed for said Web page** by said entering operation judgment function, even when an entering operation by the user is executed in other windows of the plurality of windows during the predetermined period of time. (emphasis added)

The content is being obtained once it has been determined that the user is not active in the browser window and is not cached.

Claim 19 recites a similar element of “delivering the advertising information to the viewer computer terminal from a predetermined server via the network when it is judged that the entering operation is not executed.”

As above, neither Berstis nor Braun disclose obtaining the content when the browser is idle and then displaying the information at the same idle time. Landsman further teaches away by also caching during the idle browser time. Landsman is storing the information to play at a later time when the browser is active and not at the time the browser is idle. *See, at least*, Landsman, column 10, lines 59-68.

Claims 9 and 20 depend from claim 7 and 19, respectively, and claims 9 and 20 are allowable at least based on the arguments above. Applicant respectfully submits that Berstis,

Braun, and Landsman, either alone or in combination, do not teach or suggest all the elements of the claimed invention and requests that the rejection be withdrawn.

Claim 10, depends from claim 7 and is allowable based on the arguments above. Further, regarding Reilly, it also teaches away from the elements of claim 10 and independent claims 1, 7, 14, and 19. Reilly's invention is not a "browser saver" but a full "screen saver." Reilly is only looking for inactivity on the entire computer, not just in the browser window. Reilly will not display an advertisement until all information entry ceases for a period of time (e.g., five minutes). *See*, Reilly, column 2 lines 28-34; column 4, lines 19-20; and column 11, lines 39-52. Additionally, even if Reilly could be interpreted to be a browser saver (which Applicant respectfully disagrees with) Reilly teaches displaying only "advertisements stored in local memory" when the workstation is idle and not retrieving it at the time it is needed to be displayed. *See*, Reilly, column 3, lines 10-14.

Thus, Applicant respectfully submits that Berstis, Braun, Landsman, and Reilly, either alone or in combination do not teach or suggest every element of the pending claims. Applicant respectfully request the rejections be withdrawn.

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Respectfully submitted,

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